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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gensler et al. Confirmation No.: 7365
Serial No.: 09/942,417 Group Art Unit: 2131
Filed: 08/30/2001 Examiner: Arezoo Sherkat

Title: MECHANISM INDEPENDENT CLUSTER SECURITY SERVICES
CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is
being transmitted by facsimile transmission to:
Examiner Arezoo Sherkat, Group Art Unit
2131, United States Patent and Trademark
Office, Alexandria, VA 22313-1450, Facsimile
No. (571) 273-8300, on May 16, 2006.


Bill K. Becker

Date of Signature: May 15, 2006.

**DECLARATION IN SUPPORT OF APPLICANTS'
DECLARATION UNDER 37 C.F.R. §1.131**

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Robert R. Gensler, Jr., Serban C. Maerean, Clarence B. Parker, Jr. and Hemant R. Suri
declare as follows:

1. At some time prior to April 7, 2001, Applicants conceived of a method for providing security services in a clustered data processing environment, said method comprising the steps of providing an access program layer on at least two data processing nodes of said clustered environment, said layer presenting a consistent security interface, from at least two of said nodes to two at least two types of security program module which implement a security service on different nodes within said cluster, to applications which run on said nodes and which access a same one of said at least two types of security program modules on different nodes, through said

0560.602

consistent interface; and providing at least one adapter module for each security program module, wherein said at least one adapter module maps parameters of said security service to said security interface, whereby applications running on different nodes do not require modification to use different security program modules.

2. At some time prior to April 7, 2001, Applicants conceived of the invention described in paragraph 1 hereof in which there are a plurality of more than two of said data processing nodes.

3. At some time prior to April 7, 2001, Applicants conceived of the invention described in paragraph 1 hereof in which there are a plurality of security program modules.

4. At some time prior to April 7, 2001, Applicants conceived of the invention described in paragraph 1 hereof in which there are a plurality of said adapter modules.

5. At some time prior to April 7, 2001, Applicants conceived of the invention described in paragraph 1 hereof in which said access program layer includes authentication and authorization services through said security interface.

6. At some time prior to April 7, 2001, Applicants conceived of the invention described in paragraph 1 hereof in which said access program layer includes access control services through said security interface.

7. At some time prior to April 7, 2001, Applicants conceived of the invention described in paragraph 6 hereof in which said access control services includes entries grouped by at least one characteristic selected from the group consisting of type, mechanism, identity and permission bit mask.

8. At some time prior to April 7, 2001, Applicants conceived of the invention described in paragraph 1 hereof in which said access program layer loads one or more security program modules identified through said security interface.

0560.602

9. At all times relevant hereto, Applicants were and are full-time employees of the Assignee, International Business Machines Corporation ("IBM") in the United States and all activities and events discussed herein took place in the United States.

10. At some time prior to April 7, 2001, Applicants described their invention in detail in a document entitled "Cluster Security Services (CtS) Generic Authentication and ACL Management," selected portions of which are annexed hereto and made part hereof as Exhibit "A".

11. On or at some time prior to June 13, 2001, Applicants actually reduced their invention (e.g., the methods described herein above and claimed in the pending claims) to practice as evidenced by the "Change History Report," selected portions of which are annexed hereto and made part hereof as Exhibit "B". As an example, item "name" 74869 found on p. 14 of the report and having an "addDate" of June 13, 2001 and a "modify" action entry date of June 13, 2001 represents the point in Applicants' product implementation cycle prior to which the invention was demonstrated to be fully functional in operating prototypes.

12. The Change History Report identifies, among other information, "defects" that were uncovered in IBM internal functional verification testing. Once a defect was reported, it was corrected by making appropriate source code modifications. Modifications were made on June 13, 2001 to correct defect name 74869. Based upon the information in the "abstract" and "notes" fields of the Change History Report, Applicants know that no defects relating to the functionality of the invention (e.g., relating to the performance of the methods described herein above and claimed in the pending claims) were reported after June 13, 2001. All defects reported after that date were for minor defects that had no effect on such functionality.

13. On or at some time prior to June 13, 2001, Applicants' invention was implemented in a prototype, which operated successfully and performed the methods that the invention was intended to perform, namely the methods described hereinabove in paragraphs 1 through 8, and claimed in pending claims 13 through 20.

0560.602

14. During the entire period of time starting prior to April 7, 2001 and continuing through June 13, 2001, Applicants were assigned by IBM to work full-time on the development of the invention. During that time, Applicants worked full-time on developing the invention, including, but not limited to, participating in the performance of functional verification testing, making product refinements, such as writing additional source code to refine and enhance the functionality of the source code, and performing necessary administrative and procedural functions.

15. Annexed hereto and made a part hereof as Exhibit "C" is a document entitled "Cluster Security: Secured Execution Environment System Design" dated April 16, 2001 that provides a detailed description of the invention, which updates the description that was provided in the Cluster Security Services (CtS) document annexed hereto as Exhibit "A".

16. Annexed hereto and made a part hereof as Exhibit "D" is a document entitled "Source Code History Report" in which various activities, and the dates of those activities, associated with the development of Applicants' invention are reported. The report lists the various source code modules of the invention and identifies when modifications to those modules were made in IBM's source code repository. Other such activities are reported on the Change History Report (Exhibit "B" hereto). These two reports represent a small fraction of all activity associated with the development and testing of Applicants' invention during the period from just prior to April 7, 2001 through June 13, 2001. On dates that are not represented in the reports, Applicants were working full time on the development and testing of the invention. Most of Applicant's source code development activities associated with the invention were performed on local workstations, and those activities are not reflected in the reports.

17. All of the Exhibits annexed hereto are documents that were prepared and maintained in the ordinary course of business of the Assignee, International Business Machines Corporation ("IBM").

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→ USPTO-RESPONSES 018/128
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Date: 5/8/2006

Robert R. Gensler, Jr.

Robert R. Gensler, Jr.

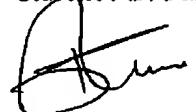


Serban C. Maerean

Date: 5/8/2006

Date: _____

Clarence B. Parker, Jr.



Hemant R. Suri

Date: 5/8/2006

Page 5 of 5

** TOTAL PAGE.06 **

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1. At some time prior to April 7, 2001, Applicants conceived of a method for providing
security services in a clustered data processing environment, said method comprising the steps of
providing an access program layer on at least two data processing nodes of said clustered
environment, said layer presenting a consistent security interface, from at least two of said nodes

0560.602

to two at least two types of security program module which implement a security service on different nodes within said cluster, to applications which run on said nodes and which access a same one of said at least two types of security program modules on different nodes, through said consistent interface; and providing at least one adapter module for each security program module, wherein said at least one adapter module maps parameters of said security service to said security interface, whereby applications running on different nodes do not require modification to use different security program modules.

2. At some time prior to April 7, 2001, Applicants conceived of the invention described in paragraph 1 hereof in which there are a plurality of more than two of said data processing nodes.

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Page 2 of 5

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0560.602

8. At some time prior to April 7, 2001, Applicants conceived of the invention described in paragraph 1 hereof in which said access program layer loads one or more security program modules identified through said security interface.

9. At all times relevant hereto, Applicants were and are full-time employees of the Assignee, International Business Machines Corporation ("IBM") in the United States and all activities and events discussed herein took place in the United States.

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